

EXHIBIT 16

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3 UNITED STATES DISTRICT COURT
4 DISTRICT OF MASSACHUSETTS

5 No. 04-CV-11948-RGS

6 SEYED MOHSEN HOSSEINI-SEDEHY,

7 Plaintiff

8 vs.

9 ERIN T. WITHINGTON and the CITY

10 OF BOSTON,

11 Defendants

12
13 DEPOSITION OF ERIN T. WITHINGTON

14 Thursday, March 31, 2005

15 10:00 a.m. - 4:32 p.m.

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24 Reporter: Cynthia C. Henderson/RPR

Erin T. Withington - March 31, 2005

<p style="text-align: right;">182</p> <p>1 got to the elevator?</p> <p>2 A. He wasn't handcuffed in front of everybody.</p> <p>3 Q. But he was under arrest?</p> <p>4 A. Yes.</p> <p>5 Q. And he wasn't free to go?</p> <p>6 A. He was not.</p> <p>7 Q. He was coming with you at that time?</p> <p>8 A. Yes.</p> <p>9 Q. And the other Teamsters that worked under</p> <p>10 him were all in that room?</p> <p>11 A. Yes.</p> <p>12 Q. Did you see Mr. Bavis there?</p> <p>13 A. Mr. Bavis was downstairs to the right of</p> <p>14 the main entrance sitting on a wall or a bench or a</p> <p>15 wall inside the building.</p> <p>16 Q. When you walked into the Hynes Convention</p> <p>17 Center you showed your badges to the security</p> <p>18 officers there?</p> <p>19 A. Detective Lembo showed his badge to the</p> <p>20 security officer.</p> <p>21 Q. Did you ask the security officer any</p> <p>22 questions about this allegation?</p> <p>23 A. No.</p> <p>24 Q. Did you ask the security officer if they</p>	<p style="text-align: right;">184</p> <p>1 A. Mr. Bavis hadn't mentioned that he spoke</p> <p>2 with anyone other than myself regarding making</p> <p>3 allegations.</p> <p>4 Q. Well, as a criminal investigator you don't</p> <p>5 decide how you are going to investigate a crime</p> <p>6 based on what the complaining witness tells you;</p> <p>7 correct? You use your training and experience to</p> <p>8 investigate the full circumstances of any criminal</p> <p>9 allegation; right?</p> <p>10 A. Yes.</p> <p>11 Q. So the fact that Mr. Bavis didn't mention a</p> <p>12 security officer at the Massachusetts Convention</p> <p>13 Center would not mean that you as a trained</p> <p>14 investigator wouldn't be interested in finding out</p> <p>15 what, if anything, they knew about the circumstances</p> <p>16 surrounding Mr. Bavis's and Mr. Hosseini's</p> <p>17 relationship; right?</p> <p>18 A. It never occurred to me.</p> <p>19 Q. Did you ever ask if there was a grievance</p> <p>20 that Bavis had filed because this was apparently or</p> <p>21 allegedly work-related? Did he file a grievance</p> <p>22 about an adverse working condition?</p> <p>23 A. Mr. Bavis?</p> <p>24 Q. Yes.</p>
<p style="text-align: right;">183</p> <p>1 had any reports of any sexual offense occurring on</p> <p>2 their property?</p> <p>3 A. No.</p> <p>4 Q. Why not?</p> <p>5 A. Because at that point I had a warrant for</p> <p>6 Mr. Hosseini's arrest, and he was inside the</p> <p>7 building. We just wanted to let the security guard</p> <p>8 know that the Boston police were in the building and</p> <p>9 we were going to be arresting someone. We didn't</p> <p>10 give his name.</p> <p>11 Q. So when you walked into the Massachusetts</p> <p>12 Convention Center, would it be fair to say you knew</p> <p>13 that the convention center had security officers?</p> <p>14 A. Yes.</p> <p>15 Q. And you knew that before that date;</p> <p>16 correct?</p> <p>17 A. Yes.</p> <p>18 Q. At any time after December 22nd, 2003 did</p> <p>19 you pick up the phone and call the Massachusetts</p> <p>20 Convention Center security office and ask for any</p> <p>21 reports concerning these allegations that Bavis</p> <p>22 made?</p> <p>23 A. No.</p> <p>24 Q. Why?</p>	<p style="text-align: right;">185</p> <p>1 A. No.</p> <p>2 Q. Did you ask anybody if Mr. Bavis had filed</p> <p>3 a grievance with his union about any adverse working</p> <p>4 conditions?</p> <p>5 A. No. Anyone that I spoke to, either at GES</p> <p>6 or Mr. John Perry, his answer was he didn't want to</p> <p>7 get in the bullshit of Bavis. Really, no one was</p> <p>8 helpful so, no, I didn't ask anyone.</p> <p>9 Q. And the fact that John Perry didn't want to</p> <p>10 get involved with any of Mr. Bavis's bullshit, did</p> <p>11 that concern you that Bavis may not be telling you</p> <p>12 the truth?</p> <p>13 MS. AMBARIK: Objection. I don't think</p> <p>14 it was Bavis who said that.</p> <p>15 MR. BUTLER: Actually, it was.</p> <p>16 THE WITNESS: It was.</p> <p>17 MS. AMBARIK: My mistake.</p> <p>18 Q. Did that concern you that John Perry, the</p> <p>19 Teamsters supervisor or business agent or whatever</p> <p>20 he was, that he said to you that he wasn't going to</p> <p>21 get involved in any of Bavis's bullshit?</p> <p>22 A. No. I just thought he was really rude the</p> <p>23 whole conversation, so it was just another aspect of</p> <p>24 his rudeness.</p>